

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

JARROD STRINGER, et al., *
Plaintiffs, *
*
v. * No. SA-20-CV-46-OG
*
RUTH R. HUGHS, et al., *
Defendants. *

VIDEOCONFERENCED DEPOSITION

OF

JOHN HARMS

Tuesday, April 14, 2020

VIDEOCONFERENCED DEPOSITION OF JOHN HARMS,
produced as a witness at the instance of the Defendants,
and duly sworn, was taken in the above-styled and
numbered cause on Tuesday, April 14, 2020, from
10:02 a.m. to 10:48 a.m., before Debbie D. Cunningham,
CSR, in and for the State of Texas, remotely reported
via Machine Shorthand, pursuant to the Federal Rules of
Civil Procedure.

--ooOoo--

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2

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23 --ooOoo--
24
25

1	INDEX	3
2	APPEARANCES	2
3		
4	EXAMINATION OF JOHN HARMS:	
5	BY MR. HILTON	6
6		
7		
8	CHANGES AND SIGNATURE	39
9	REPORTER'S CERTIFICATION	41
10		
11	--ooOoo--	
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		

1 EXHIBIT INDEX

2 Exhibit Number	3 Description	4 Page
Exhibit 1	Defendants' Notice of Oral Deposition	16
Exhibit 2	Plaintiffs' Original Complaint	17
Exhibit 3	A collection of DPS website screenshots	26
Exhibit 4	Declaration of John Harms	32

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10
11
12
13
14
15
16
17
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20
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1 (Tuesday, April 14, 2020, 10:11 a.m.)

PROCEDINGS

3 THE REPORTER: Today is April 14th, 2020.

4 This is the deposition of John Harms in the matter of

5 Jarrod Stringer, et al. versus Ruth R. Hughes, et al.

6 We are remotely situated due to COVID-19 and are

7 appearing via Zoom conference. We are now on the record
8 at 10:02 a.m., Central time.

9 My name is Debbie Cunningham; and my

10 business address is P.O. Box 245, Manchaca, Texas 78652.

11 | Would all persons present please

introduce themselves for the record?

13 THE WITNESS: John Harms. Do you need
14 more?

15 THE REPORTER: No, that's good. Thank
16 you.

17 MR. HILTON: Chris Hilton with the
18 Attorney General's Office for the Defendants.

19 MS. STEVENS: Beth Stevens on behalf of
20 Mr. Harms.

21 THE REPORTER: Mr. Harms, will you raise
22 your right hand, please?

23 Oh, I'm sorry. Counsel, did you want to
24 go ahead and make your announcements?

25 | MR MIRZA: Yes My name is Hani Mirza

1 I'm here on behalf of John Harms as well.

2 MR. GONZALES: Joaquin Gonzales with
3 Texas Civil Rights Project on behalf of John Harms.

4 JOHN HARMS,
5 having taken an oath to tell the truth, the whole truth,
6 and nothing but the truth, was examined and testified as
7 follows:

8 EXAMINATION

9 BY MR. HILTON:

10 Q. Good morning, Mr. Harms. Can you please
11 state -- state, again, your name for the record and
12 spell it, please?

13 A. John Harms, H-A-R-M-S.

14 MR. HILTON: And before I forget, we're
15 proceeding without the Intervenors. We received an
16 e-mail from them saying that they don't intend to join.
17 I just wanted to make that clear for the record.

18 Q. (BY MR. HILTON) Mr. Harms, my name is Chris
19 Hilton. I work for the Attorney General's Office. I
20 represent the Defendants in this case.

21 I want to begin just by asking you if you
22 can tell me in your own words what your case is about.

23 A. Well, what brought me into this was that I
24 had -- when I moved from Smithville, which is in Bastrop
25 County, into Austin last year, I changed my driver's

1 license address, as required by law, and thought at the
2 same time I was changing my voter registration address
3 and subsequently found out that that had not happened.

4 And somebody suggested I contact Joaquin
5 because he was familiar with this, and then I joined the
6 lawsuit because I think that needs to be changed. I
7 think when you're -- it needs to be simplified so that
8 people can register when they move into the county just
9 automatically. And that didn't happen, so it kind of
10 ticked me off.

11 **Q. Fair enough.**

12 **You said somebody suggested you talk to**
13 **Joaquin. Who was that?**

14 A. A friend of mine knows Joaquin's mother, and
15 so I called Joaquin and --

16 **Q. And just to be clear, I'm not asking you to**
17 **divulge any privileged conversations that you've had**
18 **with your attorneys.**

19 A. Yeah. No. Anyway, that was how I got
20 involved. I didn't realize there was a lawsuit and --
21 but after talking to Joaquin, I decided that I wanted to
22 be a part of it because I think this is wrong. I think
23 you need to -- the regis- -- voter registration process
24 needs to be very simple and straightforward; and with
25 technology these days, it can be that way.

1 Q. And you said that you thought that your
2 registration had been updated when you did the driver's
3 license transaction and that you later found out that
4 that wasn't the case. Am I understanding that
5 correctly?

6 A. Yes.

7 Q. Okay. How did you later find out that your
8 voter registration hadn't been updated?

9 A. Well, I didn't receive a new card in the mail;
10 and it went way longer than I normally -- than normally
11 it would have. So I started wondering what had
12 happened. I thought maybe -- I didn't know what had
13 happened.

14 Q. Okay. Fair enough.

15 And kind of about the deposition today,
16 what did you do to prepare for the depo today?

17 A. What did I do to prepare?

18 Q. Yes, sir.

19 A. I talked to Beth and to Joaquin.

20 Q. And did you speak to anyone else?

21 A. No.

22 Q. Did you review any documents to prepare for
23 your deposition?

24 A. The only documents were the original documents
25 that we had filed, I guess. What do they call it? The

1 Declaration, I just reviewed that. I just read that --
2 reread that.

3 **Q. The Declaration that you signed?**

4 A. Yes, uh-huh.

5 **Q. And it seems that you have a copy of that**
6 **there with you?**

7 A. I do.

8 **Q. And do you have any other documents there with**
9 **you?**

10 A. I do. I have my resume in case I'm asked
11 questions about my work history, and that's it.

12 **Q. Well, you will be asked questions about that**
13 **so that will come in handy.**

14 MR. HILTON: And I'll just ask: Beth,
15 I'd like to make sure that I get copies of the documents
16 that Mr. Harms has in front of him. I think I know
17 which Declaration it is. I think I have it myself, and
18 we're going to talk about it. I'd like a copy of the
19 resume as well.

20 And, Mr. Harms, that's just because you
21 brought them with your deposition -- brought them with
22 you to the deposition.

23 Beth, is that going to be an issue? Do
24 you mind giving us those?

25 MS. STEVENS: Oh, sorry. I nodded. I

1 nodded.

2 MR. HILTON: Oh, sorry. You're on video.

3 I appreciate that.

4 Q (BY MR. HILTON) Do you have any other
5 materials related to the case in the room with you or
6 anyone else in the room with you right now, Mr. Harms?

7 A. No.

8 Q. Okay. Thank you.

9 Other than this lawsuit, have you ever
10 sued anyone?

11 A. No -- oh, no, that's not true. I sued -- in
12 Small Claims Court I sued a dry cleaners once, who lost
13 my shirts.

14 Q. Were you successful?

15 A. I was.

16 Q. Not to get the shirts back, though, I'm sure?

17 A. I didn't get the shirts back.

18 Q. Which dry cleaner?

19 A. I don't remember. It was a long time ago.

20 Q. Okay. It wasn't in Austin, though?

21 A. (No audible response.)

22 Q. Have you ever been sued?

23 A. No.

24 Q. Are you married?

25 A. I'm not.

1 **Q.** Have you ever been married?

2 **A.** Yes.

3 **Q.** And what was your former spouse's occupation?

4 **A.** I'm sorry?

5 **Q.** What was your spouse's occupation?

6 **A.** She was a Montessori teacher.

7 **Q.** Do you have any children?

8 **A.** I do. I have a son and a daughter who both
9 live in Austin.

10 **Q.** And what are their ages?

11 **A.** My daughter's 46. My son is 42.

12 **Q.** And what do they do?

13 **A.** My daughter was a waitress until recently, and
14 my son was a -- worked at a nightclub until recently.

15 **Q.** Sorry to hear that. I hope they're doing
16 okay.

17 **A.** Yeah.

18 **Q.** Mr. Harms, what -- can you just give me an
19 overview of any education that you've had?

20 **A.** Standard Texas education through high school.
21 Graduated from Irving High School, came to the
22 University of Texas in 1966 to study journalism. And
23 then I switched over to radio, TV, and film, with a
24 concentration in film production.

25 **Q.** And did you obtain a degree?

1 A. No.

2 Q. **And are you currently employed?**

3 A. Yes, I am. I have a small business. It's a
4 Subchapter S Corporation, and I employ myself. I work
5 as a consultant in film and video production.

6 Q. **And I'm curious about the rest of your career,**
7 **and you mentioned you have your resume. Would you mind**
8 **just running down and giving me the highlights?**

9 A. Well, because it's in the creative fields,
10 typically there's a lot of jobs over the years.

11 Q. **I understood that, and I'm not going to ask**
12 **you to explain every single one. But maybe, if you**
13 **could, tell me generally what you've done over your**
14 **career and maybe give me a couple of representative**
15 **matters.**

16 A. Yeah, typically it's -- I've been involved in
17 marketing and sales work and production work. So I've
18 gone back and forth, depending on what the employer
19 needed and what the job was at the time.

20 I've been involved in online marketing.
21 I've been involved in creative production of film and
22 video projects and TV commercials. I've been involved
23 in -- let's see -- quite a few years in that; and
24 sometimes the -- I've been involved in the sales of
25 television production equipment, cameras, lighting, that

1 sort of thing, editing equipment. I've taught
2 television editing.

3 I was involved in the production of
4 motion pic- -- in Dallas in the production of motion
5 pictures and television shows. I was involved with the
6 TV series "Dallas" and started off with Shelter Records
7 many, many years ago, working for Leon Russell.

8 And that's kind of it. That's the
9 highlights.

10 Q. Did you get a credit on "Dallas"?

11 A. I didn't get a credit on "Dallas."

12 Q. Have you gotten a credit on anything, or is
13 that not commonly done for the type of work that you do?

14 A. Typically not for what I do.

15 [REDACTED]

16 [REDACTED]

17 [REDACTED] [REDACTED]

18 [REDACTED]

19 [REDACTED] [REDACTED]

20 [REDACTED] [REDACTED]

21 [REDACTED] [REDACTED]

22 [REDACTED]

23 [REDACTED] [REDACTED]

24 [REDACTED]

25 [REDACTED] [REDACTED]

1 [REDACTED]
2 [REDACTED]
3 Q. Mr. Harms, you mentioned you lived in
4 Smithville before you moved to Austin. How long had you
5 lived there?

6 A. Five years.

7 Q. And how about, before that, where did you
8 live?

9 A. Austin, for -- going all the way back to 1966.
10 I came to Austin in 1966.

11 Q. So since you came to Austin to go to UT,
12 you've lived here except for five years in Smithville;
13 is that accurate?

14 A. Yes.

15 Q. How many different houses in Smithville did
16 you live in?

17 A. Just one.

18 Q. And in Austin over the decades how many
19 different places have you lived?

20 A. Twenty.

21 Q. Twenty. Is that an exact number, or is that a
22 ballpark?

23 A. That's a ballpark.

24 Q. Okay. And that's fair. I'm not going to ask
25 for exact.

1 A. Most of those when I was a student.

2 Q. Fair enough.

3 And you've lived in your current place
4 since last July; is that correct?

5 A. Yes.

6 Q. Okay. Have you ever owned a home, or have you
7 always rented or --

8 A. No. My wife and -- my first wife and I owned
9 a home in Austin, and we lived there together for 12
10 years.

11 Q. Okay. Is that the only home that you've
12 owned?

13 A. Yes.

14 Q. Do you know whether you intend to buy another
15 residence or if you intend to keep renting?

16 A. If I could afford it, I'd buy a house in
17 Austin these days.

18 Q. I have the same problem, so I get that.

19 All right. I'm going to shift gears a
20 little bit. If I say NVRA, does that mean anything to
21 you?

22 A. I'm sorry?

23 Q. NVRA.

24 A. No.

25 Q. Those letters together don't mean anything to

1 you?

2 A. Huh-uh.

3 Q. Okay. If I say National Voter Registration
4 Act, does that mean anything to you?

5 A. Well, I can -- I'm not familiar with the act
6 itself, but I can imagine what that would represent.

7 Q. But other than the name, you don't have any
8 independent knowledge of what that is?

9 A. Right.

10 Q. Do you have a printer, like a computer
11 printer?

12 A. Yes.

13 Q. All right. We're going to try and do some --
14 since we are doing the deposition remotely, we're going
15 to do exhibits via a screen share. And so if it doesn't
16 work, it's my fault for my inability to use the
17 technology properly; but, hopefully, our technical team
18 is on the depo to help me out. So I'm going to try and
19 share with you what we're going to mark at Exhibit 1.

20 (Exhibit 1 discussed.)

21 Q (BY MR. HILTON) And I think that these
22 exhibits are also going to be provided in the chat
23 feature via Zoom. So that's more helpful for the
24 lawyers, I think, than for you, Mr. Harms.

25 Mr. Harms, for you, I'm going to show you

1 the relevant portions of the document that I want to ask
2 you about; but if you want to see the rest of the
3 document, if you want to take the time to read it, if
4 you want me to scroll up or down or manipulate the
5 document in any way, I'm happy to do that for you. Just
6 tell me, and I'll attempt to do that for you. Does that
7 make sense?

8 A. Okay. Thank you.

9 Q. So the first one is what I've marked as
10 Exhibit 1. Do you recognize this document, Mr. Harms?

11 A. No.

12 Q. Okay. This is the Notice of Deposition for
13 your deposition here today.

14 A. Okay.

15 Q. Do you know whether you were provided that
16 before the deposition today?

17 A. I think I probably was, but I don't remember
18 it exactly.

19 Q. Okay. That's fine.

20 All right. Now, I've pulled up what
21 we're going to mark as Exhibit 2.

22 (Exhibit 2 discussed.)

23 Q (BY MR. HILTON) And this is the -- I'm
24 showing on the screen the first two pages of Exhibit 2.
25 Mr. Harms, do you recognize this document?

1 A. Yes.

2 Q. And what is it?

3 A. I remember -- I haven't reviewed it in some
4 time, so I don't know what -- the content in specific.

5 Q. But, just generally, can you tell me what it
6 is?

7 A. Let me take a minute and read it.

8 Q. Of course. It's quite lengthy. It's 23
9 pages.

10 A. Ah, then I won't do that.

11 Q. You're welcome to if you'd like.

12 Why don't we do this: I'll represent to
13 you that it is the Original Complaint that was filed on
14 your behalf in this action by your attorneys. Is that
15 consistent with what --

16 A. Yeah. It was some months ago, so I don't
17 recall all the content.

18 Q. Fair enough.

19 Did you review it before it was filed?

20 A. Yes, I did.

21 Q. Okay. And how much time do you think you
22 spent reviewing it?

23 A. Not much. I scanned it.

24 Q. Okay. How much time, total, do you think that
25 you've spent on this case?

1 A. Well, I did drive to San Antonio for the
2 hearing and so another few hours for this sort of thing.
3 So I would say probably ten hours.

4 Q. Okay. And I'm going to scroll down in this
5 document. Well, you know what, just let me just do it
6 this way: Do you know Nayeli Gomez?

7 A. I do not.

8 Q. And do you know Jarrod Stringer?

9 A. I do not.

10 Q. Okay. I think that's enough of Exhibit 2 for
11 now.

12 **Are you currently registered to vote?**

13 A. Yes.

14 Q. **And you're registered to vote at your current
15 address?**

16 A. Yes.

17 Q. **When was the last time you registered to vote?**

18 A. Well, the last time that I registered was --
19 it would have been when I tried -- when I changed my
20 driver's license and thought that I was also registering
21 to vote in Travis County. So that would have been back
22 in October of 2019.

23 Q. **And how about the time before that?**

24 A. Well, that's when I changed my voter
25 registration to vote in Smithville. And so that would

1 have been five or six years ago. I guess six years ago
2 now.

3 **Q. And do you remember how you updated your voter**
4 **registration?**

5 A. How I updated it --

6 **Q. Yes, sir.**

7 A. -- or how you tried to update it?

8 **Q. When you moved to Smithville and became**
9 **registered to vote there, how did you apply to be**
10 **registered to vote?**

11 A. I went to the -- to a branch of the Bastrop
12 County Courthouse. It was just down the street from me
13 in Smithville.

14 **Q. And they had voter registration applications**
15 **there?**

16 A. Yes.

17 **Q. And so you filled it out and handed it over?**

18 A. It was very convenient because it was just
19 down on the main street. I'd driven by it every day, so
20 I registered there.

21 **Q. Okay. And do you remember any other times in**
22 **your life that you've registered?**

23 A. No, I don't remember specifically because I
24 had been in Travis County for 40 years.

25 **Q. Sure. You did register to vote before you**

1 **moved to Smithville then?**

2 A. I'm sorry?

3 Q. **You had been registered to vote before the**
4 **time you just described when you registered in**
5 **Smithville?**

6 A. Yes, I had been registered in Travis County.

7 Q. Okay. How long do you think you've been
8 **registered to vote?**

9 A. Since I was 18.

10 Q. **And how often do you vote?**

11 A. I vote almost every time that I can, you know.
12 I think it's a right and it's a privilege. And so I
13 honor that. I try to be up to date on what the issues
14 are and who the candidates are. And so almost every --
15 I suppose every vote in Travis County since I came here
16 to go to school.

17 Q. **Do you vote in federal elections?**

18 A. Yes.

19 Q. **Do you vote in state elections?**

20 A. Yes.

21 Q. **There are lots of different kinds of local**
22 **elections, and they tend to happen more frequently. Do**
23 **you vote in every local election or certain kinds, or**
24 **what's your engagement with local -- voting locally?**

25 MS. STEVENS: Objection to form.

1 THE WITNESS: I'm sorry?

2 MS. STEVENS: I objected to the form of
3 the question, but you can answer.

4 Q. (BY MR. HILTON) Yeah. It was a very
5 poorly-worded, rambling question. But if you understand
6 what I'm getting at, you can try and answer.

7 A. Yeah, I try to -- I always try to vote; and I
8 always try to be up on what the issues are, whether
9 it's -- whatever they happen to be. You know, I
10 consider it a privilege and a right to vote.

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 [REDACTED] [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

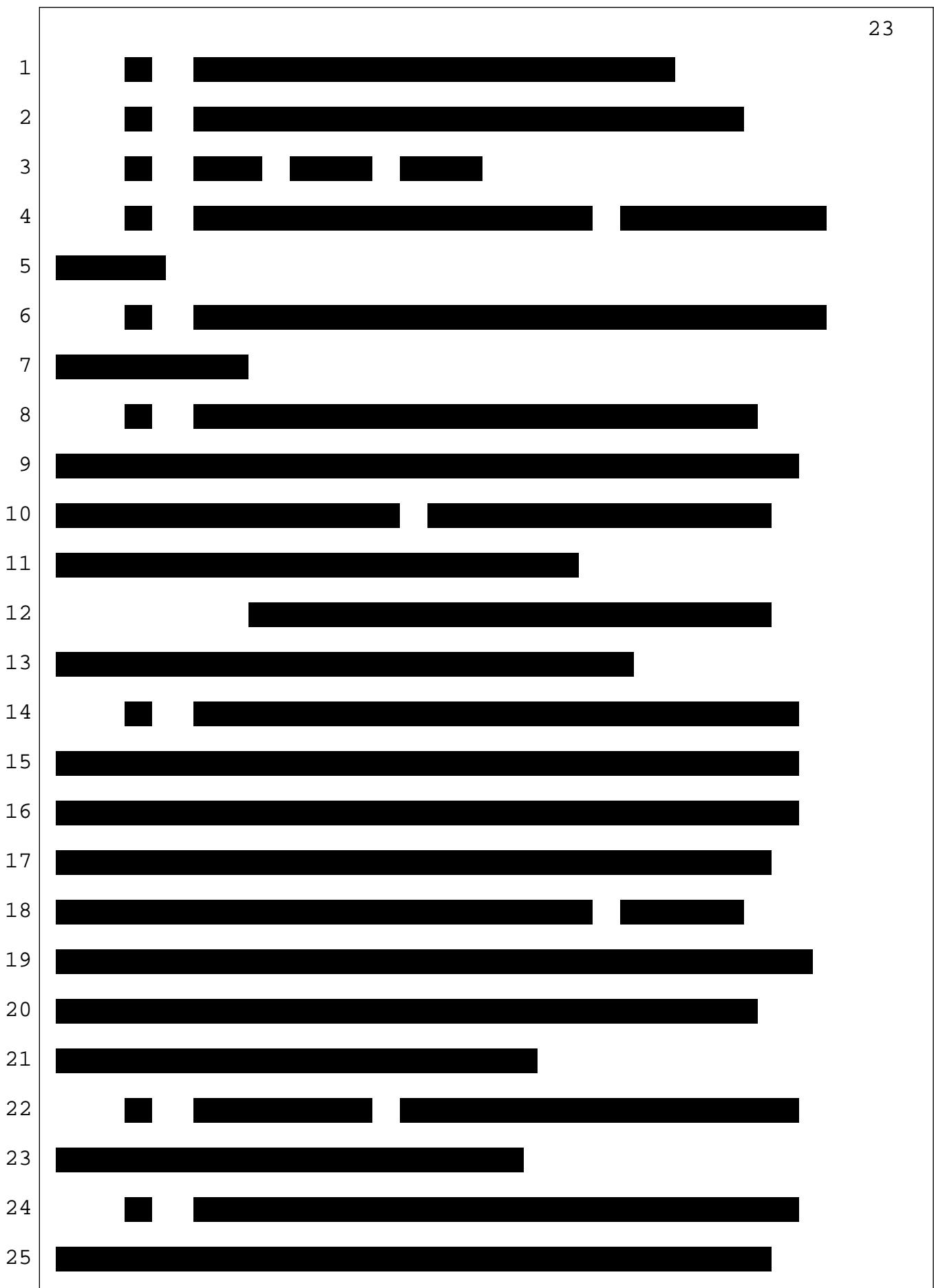
21 [REDACTED]

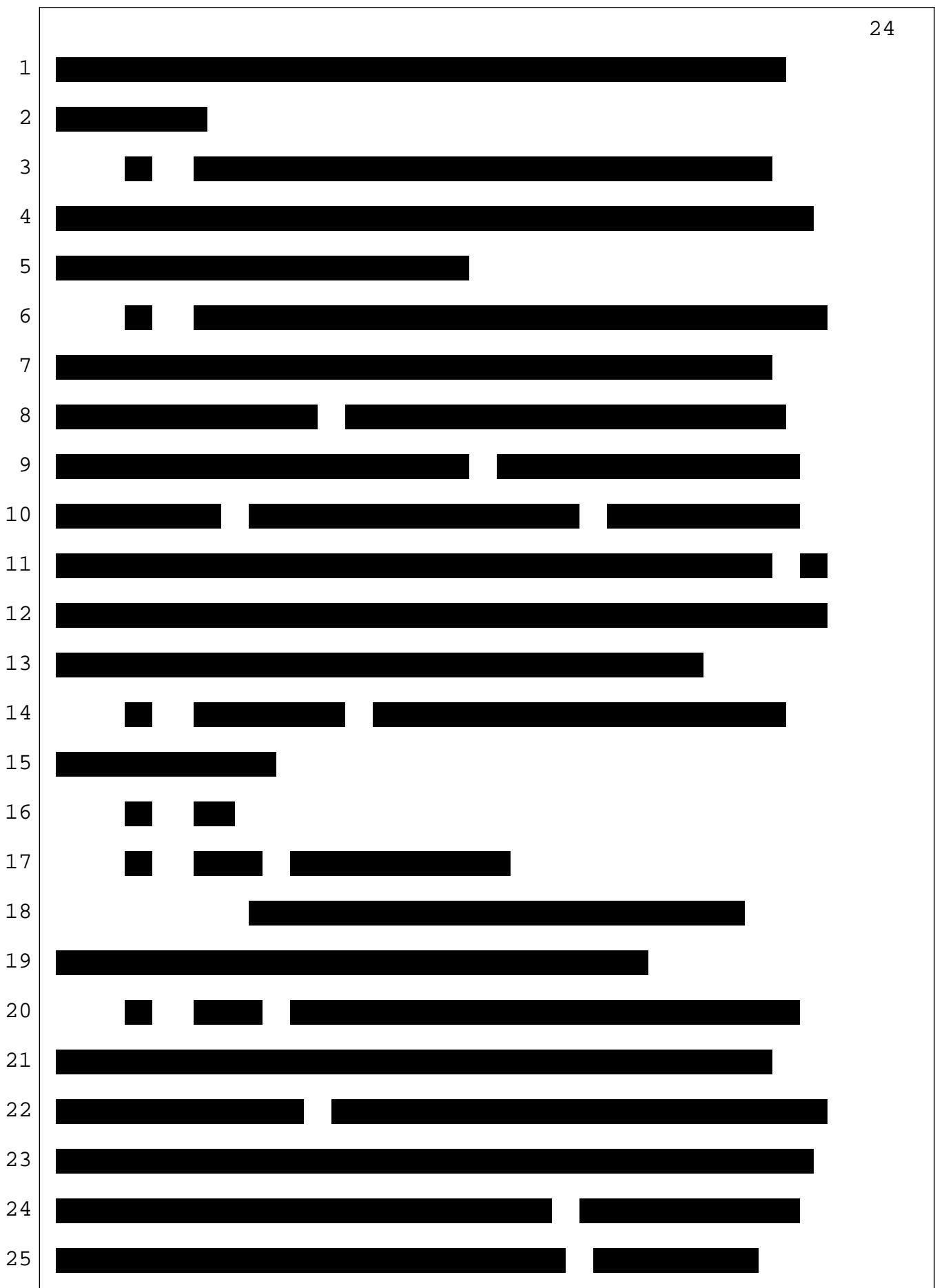
22 [REDACTED] [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 [REDACTED]





25

1 [REDACTED]
2 [REDACTED]
3 [REDACTED]
4 [REDACTED]
5 [REDACTED]
6 [REDACTED]
7 [REDACTED]
8 [REDACTED]
9 [REDACTED] [REDACTED]
10 [REDACTED]
11 [REDACTED]
12 [REDACTED]
13 [REDACTED]
14 [REDACTED] [REDACTED]

15 You said it was the -- which commission

16 did you say you served with, and when was that?

17 A. Building Standards Commission. And it would
18 have been the mid to late Seventies.

19 Q. And how did you come to be appointed to that
20 commission?

21 A. Well, I knew the mayor, Jeff Friedman; and I
22 went to complain to him about some substandard housing
23 in my neighborhood, to help the neighborhood that we
24 owned a home in. And he said, "Great. We're putting
25 together a group to study that, and we'll put you on

1 that group."

2 I was a part of that group for a year and
3 a half; and as part of that, we recommended changes in
4 the code, the City Code, and changes in the department
5 itself. And those things passed the Council. They
6 formed the new Building Stand- -- what's now the
7 Building Standards Commission, and I was appointed to
8 that and served on that for two years.

9 Q. **Have you ever served in any other similar**
10 **capacity on any other commission or other sort of, you**
11 **know, governmental groups?**

12 A. No. Professional groups, but nothing
13 political.

14 Q. **Understood.**

15 **And I apologize for the silence. I'm**
16 **looking at my notes, Mr. Harms. The silence means I'm**
17 **skipping things so hopefully we can get done a little**
18 **quicker than I had intended.**

19 All right. I'm going to pull up what
20 we'll mark as Exhibit 3.

21 (Exhibit 3 discussed.)

22 Q (BY MR. HILTON) Exhibit 3 are -- contain some
23 pages from an attachment to the Complaint that was filed
24 on your behalf that we looked at earlier. This is the
25 first page of that exhibit. It's Exhibit C to the

1 **Complaint. Does this look familiar to you?**

2 A. I don't know about the text up here; but what
3 looks familiar, I think I've seen this part down here of
4 the -- on the driver's license before. I've seen that.
5 I recognize that.

6 **Q. And you're talking about the pictures of the**
7 **driver's licenses?**

8 A. Yes, uh-huh.

9 **Q. And you recognize them because they're Texas**
10 **driver's licenses?**

11 A. Uh-huh.

12 **Q. Do you recall seeing this screen when you**
13 **changed your -- when you updated your driver's license**
14 **information when you moved from Bastrop County to Travis**
15 **County?**

16 A. Well, I probably saw it at -- you know, if I
17 did it, the process was pretty quick as I went through
18 this; and -- you know, you know how you do when you fill
19 out so many forms all the time. So it looks like
20 something I would have, you know, used. I don't know
21 how recent this is. That was sometime ago. This may
22 have been updated since I filed; but I would have gone
23 online to this, yeah, probably.

24 **Q. And I'll represent to you --**

25 MR. HILTON: Beth, I think we agree on

1 this.

2 Q. (BY MR. HILTON) -- that this is what the
3 website would have looked like when you changed your
4 driver's license information online.

5 A. Okay. I'll take your word for it.

6 Q. I'm going to go to page 5 of what we'll mark
7 as Exhibit 3. Can you read the text on this page,
8 Mr. Harms?

9 A. Yes.

10 Q. And do you see the heading where it says
11 Request a voter registration application?

12 A. Yes.

13 Q. And below that it says, "Do you want to
14 request a voter application? You will receive a link to
15 a voter application on your receipt page." Did I read
16 that correctly?

17 A. Yes.

18 Q. Okay. And what do those words mean to you?

19 A. Well, if I look at it right now, you know,
20 part of my confusion may have been that I didn't think I
21 was registering to vote. I just thought I was changing
22 the address of my voter registration, my Texas voter
23 registration.

24 Q. And so I appreciate that, and I just want to
25 be clear. I'm asking: What do those words -- you know,

1 as you're sitting here, reading them today, do you
2 understand what those words mean? What is that sentence
3 trying to tell you?

4 MS. STEVENS: Object to form.

5 A. Once again, I didn't notice. I thought that I
6 was registered to vote.

7 Q (BY MR. HILTON) Well, let's --

8 (Simultaneous speakers.)

9 A. -- changing my address.

10 Q. So let's go a little below that. It says --
11 there's a button that says "yes" and, in parentheses, it
12 says, "(This does not register you to vote.)" Did I
13 read that correctly?

14 A. You're reading that correctly.

15 Q. So would someone -- you know, if I checked
16 that box, should I expect that I'd be registered to
17 vote?

18 MS. STEVENS: Object to form.

19 A. It's confusing to me.

20 Q. (BY MR. HILTON) It's confusing to you whether
21 or not that option means someone will be registered to
22 vote if they select it?

23 A. Again, I thought I was registered to vote and
24 I was just changing my address. I assumed that the
25 information that I'd given on the driver's license to

1 change the address would just automatically apply. It's
2 a simple enough process. There's not a lot of code
3 there. So I assumed that I was already registered to
4 vote and that the Texas driver's license application
5 would automatically change this, as well as my Texas
6 driver's license. So it's not clear.

7 **Q. So I understand what you thought when you went**
8 **through this process back on October 8th or whatever the**
9 **date was, but what I'm asking you is a little bit**
10 **different; it's -- we're just reading the words on page**
11 **5 of Exhibit 3. And what I'm asking you is: Do you**
12 **think that by selecting "yes" that someone would be**
13 **registered to vote?**

14 A. What is the question?

15 **Q. If someone who is going through this process**
16 **clicks the "yes" option, do you think that person would**
17 **be registered to vote?**

18 A. I think it's confusing.

19 **Q. Well, let's scroll down to page 11 of**
20 **Exhibit 3. This is -- I can't remember if this is from**
21 **the receipt page or towards the end of this online**
22 **process. But this is what you see at the end of**
23 **updating your driver's license application online. Do**
24 **you recall seeing this page?**

25 MS. STEVENS: Wait, wait, Chris. Chris,

1 I'm going to object to that offer of what this is.

2 MR. HILTON: Oh, I'm sorry.

3 MS. STEVENS: It's a different website.

4 MR. HILTON: Oh, I'm sorry. This is the
5 link, that's right. Thanks, I appreciate that.

6 Q. (BY MR. HILTON) So when you complete your
7 driver's license application, you're linked to this
8 page. Do you recall ever clicking through to this page
9 when you changed your driver's license online?

10 Do you see at the bottom of page 11 --

11 THE REPORTER: I'm sorry. I missed --
12 excuse me. I missed the answer.

13 THE WITNESS: No.

14 Q. (BY MR. HILTON) Do you see at the bottom of
15 page 11 of Exhibit 3 under, "Other voter registration
16 application methods" --

17 A. Uh-huh.

18 Q. -- there's one bullet point down there? Do
19 you see that?

20 A. No, you'll have to scroll up.

21 Q. Can you see it now?

22 A. No, I can't read it now.

23 Q. It's too small?

24 A. Uh-huh.

25 MR. HILTON: Brian, can you help me out

1 here? I'm just trying to make that last line on this
2 page legible.

3 THE VIDEOGRAPHER: I believe it's because
4 the menu bar is perhaps obstructing on the witness's
5 side of things. And so I would maybe suggest decreasing
6 the size a little bit and scrolling.

7 THE WITNESS: Yeah, I'm afraid that's
8 unreadable.

9 Q (BY MR. HILTON) Well, let's do it this way:
10 Mr. Harms, this last line says, "You may request a
11 postage-paid application by filling out this form so
12 that a voter registration application can be mailed to
13 you." Did you ever request a postage-paid application?

14 A. No, I didn't think I needed to. I thought
15 that when I did my Texas driver's license change of
16 address that it automatically would change my voter
17 registration to the same address.

18 Q. And why did you think that?

19 A. That's what I thought.

20 Q. Do you recall reading that anywhere or...

21 A. It's just logical.

22 Q. I'm going to turn now to what we'll mark as
23 Exhibit 4.

24 (Exhibit 4 discussed.)

25 Q (BY MR. HILTON) I'm showing you the first

1 page -- well, the first page just says Exhibit 25. I'm
2 showing you the second page of Exhibit 4. Do you
3 recognize this document?

4 A. Yes.

5 Q. And what is it?

6 A. I'm sorry?

7 Q. And what is it?

8 A. It's my Declaration.

9 Q. And I'll show you the last page of Exhibit 4.

10 At the bottom there, is that your signature?

11 A. Yes, it is.

12 Q. And do you know what this Declaration was
13 attached to?

14 A. No. I didn't get copies of all the paperwork,
15 so I don't know what it was attached to.

16 Q. Okay. And did you write this Declaration?

17 A. No.

18 Q. I want to go to -- I want to zoom in.

19 Hopefully, this will be legible.

20 A. It is, yes.

21 Q. Can you read Paragraph 5 out loud, please?

22 A. "In mid July of 2019, I moved from Bastrop
23 County to Travis County, where I signed a one-year lease
24 on a" home -- "house."

25 Q. Have you renewed your lease?

1 A. It's not due for renewal yet.

2 Q. Okay. Do you intend to renew your lease?

3 A. I'm thinking about it.

4 Q. That's fair enough. So it's fair to say that
5 you might stay where you currently live, and you might
6 leave?

7 A. Yes.

8 Q. Do you know when you have to decide or give
9 notice under your lease?

10 A. Do I know when?

11 Q. Yes, sir.

12 A. I do.

13 Q. Okay. What is that date?

14 A. I'll probably be talking to the owner of the
15 home sometime soon, and we'll negotiate.

16 Q. I've just scrolled down to the end of
17 Exhibit 4. It says the Declaration was executed on
18 July 15th, 2020 [sic.] Is that correct?

19 MS. MS. STEVENS: Objection, form. It
20 says "January."

21 A. It says "January 15th."

22 Q. (BY MR. HILTON) Thank you. January 15th,
23 2020, is that the date that you executed the
24 Declaration?

25 A. Yes.

1 Q. **And as of that date, you hadn't decided**
2 **whether you were going to stay at this current residence**
3 **or move to another one?**

4 A. No.

5 Q. I think that's it for Exhibit 4.

6 Have you voted in any elections since you
7 moved from Bastrop County to Travis County?

8 A. Yes, I did. I voted -- pardon me for just a
9 minute -- in the last Democratic primary.

10 Q. And that was in March of this year?

11 A. March. March of this year, uh-huh.

12 Q. And you were able to cast a ballot?

13 A. Yes. After the hearing in San Antonio, a
14 voter registration card just showed up in my mailbox. I
15 hadn't done anything to make that happen. It just
16 showed up. So I'm assuming that somebody felt I
17 deserved to get a new card.

18 Q. Do you know who that somebody was?

19 A. I have no idea. There was nothing identifying
20 the source.

21 Q. **Have you ever gone to vote in an election and**
22 **been denied the ability to vote due to a registration**
23 **issue?**

24 A. No.

25 Q. **Have you ever donated any money to the Texas**

1 Civil Rights Project?

2 A. No.

3 Q. Have you ever done any work for the Texas
4 Civil Rights Project? And by that, I mean any of the
5 professional services that you said you've done for
6 political causes.

7 A. No. And none of those were professional
8 services in those other causes. They were all just
9 volunteer efforts, and it didn't involve any of my
10 career.

11 Q. I understand. Thank you for that
12 clarification. I appreciate that.

13 Have you ever made any social media posts
14 or other posts on the Internet about this lawsuit?

15 A. No.

16 Q. Have you given any other statements to any
17 media about this lawsuit?

18 A. No.

19 Q. And have you signed any other written
20 statements or made any other recorded statements
21 regarding this lawsuit other than the Declaration we
22 just looked at?

23 A. No.

24 Q. And, Mr. Harms, I'm going to check my notes
25 one more time. I think that's everything I have for

1 you.

2 I hope I have been courteous and
3 professional to you during this deposition.

4 A. You have been, yes.

5 Q. All right, Mr. Harms. I think that's all I
6 have.

7 MR. HILTON: We'll reserve the remainder
8 of our time. We'll reserve any further questions, and
9 we'll pass the witness.

10 MS. STEVENS: Great. Thank you.

11 Just for the record, we're going to have
12 marked as confidential the questions related to, like,
13 political affiliations and that whole line of
14 questioning.

15 And then we do want to read and sign.

16 Other than that, we reserve our questions
17 for Mr. Harms.

18 MR. HILTON: That's fine by me. We can
19 quibble about confidentiality, as mentioned, later. I
20 don't anticipate we'll have an issue over that stuff;
21 but, you know, we have a process for dealing with that,
22 so.

23 MS. STEVENS: All right. Debbie, do you
24 need anything else from us?

25 THE REPORTER: Do you need an electronic

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1 copy, not just a signing copy, but a regular copy?

2 MS. STEVENS: Yes, please.

3 THE REPORTER: All right. Thank you.

4 MR. HILTON: I believe that's it. Thanks
5 for your time, Mr. Harms. I appreciate it. I got you
6 out of here in under an hour, so. That was my goal.

7 MS. STEVENS: Impressive, Chris.

8 Impressive.

9 All right. Thanks, Mr. Harms. Thanks,
10 Chris. Thanks, Debbie.

11 THE REPORTER: Thank you.

12 MR. HILTON: Thanks. I appreciate your
13 time. Take care.

14 (Deposition concluded at 10:48 a.m.)

15 --ooOoo--
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39

1 CHANGES AND SIGNATURE

2 WITNESS NAME: DATE OF DEPOSITION:

3 JOHN HARMS April 14, 2020

4 PAGE/LINE CHANGE REASON

5 _____

6 _____

7 _____

8 _____

9 _____

10 _____

11 _____

12 _____

13 _____

14 _____

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40

1 I, JOHN HARMS, have read the foregoing
2 deposition and hereby affix my signature that same is
3 true and correct, except as noted herein.

4

5

6 JOHN HARMS

7

8 THE STATE OF _____)

9 Before me, _____, on
10 this day personally appeared JOHN HARMS, known to me (or
11 proved to me under oath or through _____)
12 (description of identity card or other document) to be
13 the person whose name is subscribed to the foregoing
14 instrument and acknowledged to me that they executed
15 same for the purposes and consideration therein
16 expressed.

17 Given under my hand and seal of office on
18 this _____ day of _____, _____.

19

20

21

22

23

24

25

NOTARY PUBLIC IN AND FOR

THE STATE OF _____

My Commission Expires: _____

41

1 STATE OF TEXAS)

2 REPORTER'S CERTIFICATION

3 I, DEBBIE D. CUNNINGHAM, CSR, hereby
4 certify that the witness was duly sworn and that this
5 transcript is a true record of the testimony given by
6 the witness.

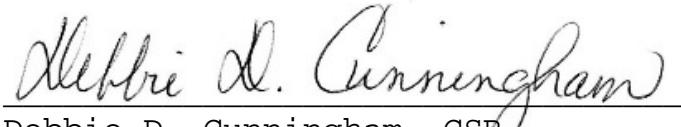
7 I further certify that I am neither
8 counsel for, related to, nor employed by any of the
9 parties or attorneys in the action in which this
10 proceeding was taken. Further, I am not a relative or
11 employee of any attorney of record in this cause, nor am
12 I financially or otherwise interested in the outcome of
13 the action.

14 Subscribed and sworn to by me this day,
15 April 20, 2020.

16

17

18


Debbie D. Cunningham

20 Debbie D. Cunningham, CSR
Texas CSR 2065
Expiration: 6/30/2021
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24

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